

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Commodity Futures Trading Commission,

Plaintiff,

V.

Bayou Management LLC, Samuel Israel III
Daniel E. Marino, and Richmond Fairfield
Associates, Certified Public Accountants
PLLC,

Defendants.

Case No. 05-cv-8374 (CM)

NOTATION OF DEFAULT OF
DEFENDANT DANIEL E. MARINO

I, J. Michael McMahon, Clerk of Court of the United States District Court for the Southern District of New York, do hereby certify that the defendant Daniel E. Marino has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Daniel E. Marino is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: February ____, 2006

J. MICHAEL MCMAHON
Clerk of the Court

By: _____
Deputy Clerk

Certificate of Service

I hereby certify that on February 17, 2006, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Local Rules on Electronic Service upon the following parties and participants:

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/s/ Christine M. Ryall

Christine M. Ryall (CR 6041)
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